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Attorneys for Defendant  
Unum Life Insurance Company of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LOUIS WILKINS,

Plaintiff,

vs.

UNUM LIFE INSURANCE COMPANY  
OF AMERICA; HSBC NORTH  
AMERICA HOLDINGS, INC. LONG  
TERM DISABILITY PLAN,

Defendants.

Case No. 3:10-02940 JSW

**JOINT STIPULATION AND ~~PROPOSED~~  
ORDER FOR ASSIGNMENT TO  
MAGISTRATE JUDGE FOR A  
SETTLEMENT CONFERENCE AND TO  
EXTEND CERTAIN DISCOVERY AND  
DISPOSITIVE MOTION DATES**

**CURRENT DCO: 9/29/2011**

**REQUESTED DCO: 60 DAYS POST  
SETTLEMENT CONFERENCE**

IT IS HEREBY STIPULATED by and between plaintiff Louis Wilkins and defendant

1 UNUM LIFE INSURANCE COMPANY OF AMERICA ("UNUM"), through their attorneys of  
2 record, for an order to assign this case to a Magistrate for a Settlement Conference and to  
3 continue the discovery cutoff and motion filing deadlines to dates 60 and 90 days (respectively)  
4 after the Settlement Conference, for good cause as follows:

5 By a prior Stipulation and Order, the original discovery cut off was continued by 60 days  
6 in order that the parties could participate in private mediation. The parties participated in the  
7 mediation before Robert J. Kaplan. The parties reached a partial settlement of some issues at the  
8 mediation, but as of this date have been unable to resolve some of the non-monetary issues to the  
9 satisfaction of all parties. The parties request the additional time provided by this Stipulation  
10 because they believe it will allow them to resolve all issues and reach a final settlement soon.

11 However, in light of the possibility that the case is not resolved, the parties request an  
12 assignment to a Magistrate Judge for a Settlement Conference to take place before the parties  
13 proceed with the discovery and final dispositive motions. To that end, the parties stipulate and  
14 request that the Court continues both the discovery cut off as well as the motion filing deadline to  
15 60 and 90 days, respectively, after whatever date the Settlement Conference takes place. The  
16 Discovery continuance relates only to the parties' dispute regarding two depositions as previously  
17 set forth in the parties' prior Stipulation. Good cause exists to continue these two pretrial  
18 deadlines because it is believed the case has a strong likelihood of settling completely, and  
19 without a continuance of the dates, the parties would have to abandon settlement discussions and  
20 engage in discovery and extensive motion practice. Judicial and party resources would be best  
21 conserved by first holding a Settlement Conference.

22 The parties further agree, that the Defendant's representative can participate in the  
23 Settlement Conference telephonically.

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3 DATED: September 22, 2011

KANTOR & KANTOR, LLP

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5 By: /s/ Glenn R. Kantor

6 Glenn R. Kantor  
7 Peter S. Sessions  
8 Attorneys for Plaintiff  
9 Louis Wilkins

10 DATED: September 22, 2011

11 WILSON, ELSER, MOSKOWITZ,  
12 EDELMAN, & DICKER LLP

13 By: /s/ Francis Torrence

14 Francis Torrence  
15 Thomas M. Herlihy  
16 Attorneys for Defendant  
17 Unum Life Insurance Company of America  
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**ORDER**

Pursuant to the Stipulation of the Parties and for good cause appearing, the Court assigns a randomly assigned Magistrate Judge this case to a Settlement Conference before Magistrate \_\_\_\_\_. The discovery cut-off in this matter is continued from September 29, 2011 to 60 days after the Settlement Conference takes place (solely relating to the parties' stipulation regarding the two previously scheduled depositions: plaintiff retains his right to notice the depositions, and defendant maintains its right to object to the depositions), and the date for the parties to file their dispositive motions is continued to 90 days post Settlement Conference. The settlement conference shall be completed within 90 days, if possible.

**IT IS SO ORDERED.**

DATED: September 23, 2011

  
HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

cc: Magistrate Referral Clerk